

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROSE MAIRE ARTHUR,)
)
Plaintiff,) 8:06cv560
)
vs.) ORDER to SHOW CAUSE
) (Service of Process)
ADAMS COUNTY, NEBRASKA, et al.,)
)
Defendants.)

This matter is before the court sua sponte. Fed. R. Civ. P. 4(m) establishes the following time limit for service of process on the defendants in a civil case:

(m) Time Limit for Service. If service of the summons and complaint is not made upon a defendant within 120 days after the filing of the complaint, the court, upon motion or on its own initiative after notice to the plaintiff, shall dismiss the action without prejudice as to that defendant or direct that service be effected within a specified time; provided that if the plaintiff shows good cause for the failure, the court shall extend the time for service for an appropriate period. This subdivision does not apply to service in a foreign country pursuant to subdivision (f) or (j)(1).

The deadline for service of process has expired, and the court's records show no return of the forms for service of process and no proof of service of process on any defendant.

THEREFORE, IT IS ORDERED:

1. That by **December 27, 2006**, the plaintiff may file a Response to Order to Show Cause explaining why the above-entitled case should not be dismissed, without prejudice, for failure to obtain timely service of process on any defendant; and

2. That in the absence of a timely and sufficient Response to Order to Show Cause, this case may be subject, without further notice, to dismissal without prejudice by District Judge Laurie Smith Camp.

DATED this 6th day of December, 2006.

BY THE COURT:

s/ F. A. GOSSETT
United States Magistrate Judge